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Attorneys for Plaintiff
AMBER MCCLAIN

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

AMBER MCCLAIN,

Plaintiff,

vs.

FIFTH WAVE AUTO, LLC dba
STOCKTON HYUNDAI;
ACCURATE ADJUSTMENTS,
INC.,

Defendants.

Case No. 2:25-cv-00897-JAM-SCR

The Honorable John A. Mendez

**STIPULATION AND ORDER TO
FILE A FIRST AMENDED
COMPLAINT**

Action filed: March 19, 2025
Trial date: October 26, 2026

WHEREAS, plaintiff Amber McClain filed this action on March 19, 2025;

WHEREAS, defendants Fifth Wave Auto, LLC dba Stockton Hyundai and
Accurate Adjustments, Inc. filed their answer to plaintiff's complaint on April 11,
2025 [Dkt. 7];

WHEREAS, plaintiff desires to file the First Amended Complaint ("FAC")
attached hereto as Exhibit 1, to add Stockton H, LLC as a defendant based on
plaintiff's belief that Stockton H, LLC is an owner of Stockton Hyundai (the car
dealership at issue in this case), and it shares common ownership with Fifth Wave
Auto;

WHEREAS, the FAC does not add any new claims, and it is based on the
same general set of facts pleaded in plaintiff's original complaint;

1 WHEREAS, attached hereto as Exhibit 2 is a redline showing the proposed
2 FAC's allegations in relation to plaintiff's original complaint; and

3 WHEREAS, defendants agree that the Court should grant plaintiff leave to
4 file the FAC.

5 NOW, THEREFORE, the parties, by and through their counsel of record,
6 stipulate that the Court should grant plaintiff leave to file and the FAC, and, if such
7 leave is granted, defendants Fifth Wave Auto, LLC dba Stockton Hyundai and
8 Accurate Adjustments, Inc. will have 20 days from service of the FAC to file their
9 response to the FAC.

10 **IT IS SO STIPULATED.**

11
12 Dated: July 2, 2025

Respectfully submitted,

LAW OFFICES OF BRANDON A. BLOCK
A PROFESSIONAL CORPORATION

13
14 /s/ Brandon A. Block
Brandon A. Block

15 Attorneys for Plaintiff
16 AMBER MCCLAIN

17 Dated: July 2, 2025

SIDRAN LAW CORP

18 /s/ Thomas M. Crowell
19 Thomas M. Crowell

20 Attorneys for Defendants
21 FIFTH WAVE AUTO, LLC and
22 ACCURATE ADJUSTMENTS, INC
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ORDER

The parties having stipulated, and good cause appearing therefor, the Court hereby **ORDERS** as follows:

1. The parties' stipulation is **APPROVED**.
2. Plaintiff shall refile and serve the first amended complaint attached to the stipulation as "Exhibit 1," within **ten (10) days** of this Order.
3. Defendants shall file their responsive pleadings within **twenty (20) days** of the refiling of Plaintiff's first amended complaint.

IT IS SO ORDERED.

Dated: July 03, 2025

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE